

Committee on Resources

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DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

STATEMENT OF

REAR ADMIRAL JEFFREY HATHAWAY

ON

HOUSE CONCURRENT RESOLUTION 268

BEFORE THE

SUBCOMMITTEE ON FISHERIES CONSERVATION, WILDLIFE AND OCEANS

COMMITTEE ON RESOURCES

U.S. HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2003

Good morning Mr. Chairman and distinguished members of the Subcommittee. I am Rear Admiral Jeffrey Hathaway, Director of Coast Guard Operations Policy. It is a pleasure to appear before you today to discuss House Concurrent Resolution 268 and its implications for the Coast Guard.

With respect to House Concurrent Resolution 268, I encourage any action that highlights the importance of responsible resource management throughout the world's oceans. As the demand for fish products increases globally, so too does the responsibility of all nations to ensure the sustainability of our very precious and very finite fishery resources. The high seas and the resources they hold are the village commons of the 21st Century.

Today we see many significant threats to their sustainability. These threats take the form of illegal, unreported and unregulated fishing, under-reported catch, using illegal harvesting methods such as high seas drift nets (HSDN), and unlawful encroachment into the U.S. Exclusive Economic Zone (EEZ). The Coast Guard's role is to enforce the laws and regulations that prohibit these practices. This is a mission we take very seriously and into which we funnel significant resources. This year, 12% of the Coast Guard's Operating Expenses budget is dedicated to supporting the fisheries mission.

The Coast Guard is the only Federal agency capable of projecting a law enforcement presence throughout the EEZ and in key areas of the high seas. Under the auspices of the Magnuson-Stevens Fisheries Conservation and Management Act, the Coast Guard invests significant resources to patrol these waters and works closely with domestic and international enforcement agencies to thwart illegal fishing practices at sea.

The Coast Guard assists the Department of State in developing international enforcement regimes through various Regional Fishery Management Organizations such as the International Convention for Conservation

of Atlantic Tuna, the North Pacific Anadromous Fish Commission, the Northwest Atlantic Fisheries Organization, and the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific to name a few. The Coast Guard maintains a liaison officer at the State Department's Office of Marine Conservation to advise U.S. delegations to these organizations on the enforceability of proposed management regimes. We also work closely with the National Oceanic and Atmospheric Administration's (NOAA) Fisheries Office for Enforcement and the Department of Justice in prosecuting foreign fishers who illegally encroach upon the U.S. EEZ.

"Fish do not recognize Exclusive Economic Zone (EEZ) boundaries" is an oft-quoted phrase in the fisheries management and enforcement business, and the Coast Guard is directly engaged with enforcement agencies in Canada, Mexico, the Russian Federation, Japan, South Korea, the People's Republic of China and many other nations to promote sustainability through compliance with regulations and management regimes. Our efforts include enforcement Memoranda of Agreement, fisheries enforcement workshops, ship rider agreements, joint operations, and boarding officer training. In an action plan on the Marine Environment and Tanker Safety prepared in June 2003 at the G-8 Summit in Evian, France, G-8 leaders, including President Bush, pledged to work toward sustainable fisheries and marine conservation.

I would like to share with you a success story in international cooperation and effective enforcement. In 1991, the United Nations declared an international moratorium on the use of large-scale (greater than 2.5 kilometers in length) pelagic high seas driftnets. Since that time, the U.S. Coast Guard, NOAA Fisheries, the Canadian Department of Fisheries and Oceans, the Russian Federal Border Service, the People's Republic of China Bureau of Fisheries, and the Fisheries Agency of Japan have worked together to seize 18 high seas driftnet vessels, including four this summer. Our closely coordinated efforts have resulted in Russian officers staffing a joint command center in Alaska, Chinese enforcement officers sailing on U.S. Coast Guard cutters, and NOAA Fisheries agents flying in Canadian Air Force surveillance planes. These countries are also members of the North Pacific Heads of Coast Guard organization in which the Commandant of the Coast Guard is a participant. The North Pacific Heads of Coast Guard, recognizing the importance of fisheries, recently implemented a Fisheries Working Group to meet regularly and discuss fisheries issues of regional interest.

The Coast Guard's fisheries law enforcement strategic plan OCEAN GUARDIAN, stipulates that our highest priority enforcement mission is to prevent encroachment of the U.S. EEZ and internal waters by foreign fishing vessels. The Plan also emphasizes ensuring compliance with international agreements for the management of living marine resources such as the International Convention on the Conservation of Atlantic Tunas (ICCAT), and the HSDN moratorium I mentioned earlier.

Fisheries enforcement, particularly enforcement of international fisheries management schemes, is a mission largely conducted by Coast Guard Deepwater assets. The U.S. EEZ is the largest and most productive in the world. It covers 3.36 million square miles of ocean and includes 95,000 miles of coastline. It contains an estimated 20% of the world's fishery resources. These vast patrol areas, coupled with the long distance from U.S. shores – for example the non-contiguous EEZ in the central Pacific – provide a significant challenge to the Coast Guard's assets. As fish stocks throughout the world dwindle and the fleets of distant water fishing nations are being pushed farther from home and into the high seas in search of catch, the bounty of our EEZ becomes a more attractive quarry. The improved capabilities the Coast Guard will garner and the technology we will have available to leverage as a result of the Integrated Deepwater System project will greatly enhance our ability to enforce international fisheries regulations in the U.S. EEZ and beyond.

The world is becoming more aware of the need to ensure the sustainability of our collective fish stocks. At the same time, the United States is becoming increasingly involved in the management of living marine resources on the high seas. Naturally, this means the Coast Guard will become even more involved in the enforcement of agreements to which the U.S. is a party. In the past, international policies governing the conservation of high seas fisheries fell well short of their goals because they lacked any effective enforcement provisions. However, in 1995, a landmark agreement, the Straddling Fish Stocks and Highly Migratory Fish Stocks Agreement established the framework for all future international fishery regimes. This agreement calls for strict adherence with fishery conservation measures and, more importantly, contains non-flag state enforcement provisions that allow the Coast Guard to board foreign fishing vessels flagged by any nation party to any mutual international fishing agreement. The Agreement entered into force on December 11, 2001.

I believe emphasis in three areas is the key to improving our international fisheries enforcement posture.

First, active participation in international fora such as the Regional Fishery Management Organizations I mentioned earlier. Second, working within those fora to develop a regulatory regime that not only sustains the resources, but is also enforceable. Finally, providing the resources necessary to carry out enforcement operations under that scheme. By resources, I am referring to people, vessels and also technology such as the Vessel Monitoring System, multi-lateral working groups like the North Pacific Heads of Coast Guard organization, and combined operations such as the high seas driftnet operations in the North Pacific.

Thank you for the opportunity to testify before you today. I will be happy to answer any questions you may have.